

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

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| PATTY BEALL, MATTHEW | § |
| MAXWELL, TALINA MCELHANY AND | § |
| KELLY HAMPTON, individually | § |
| and on behalf of all other similarly situated; | § |
| Plaintiffs, | § |
| | § |
| | § |
| | § |
| | § |
| TYLER TECHNOLOGIES, INC. AND | § |
| EDP ENTERPRISES, INC. | § |
| Defendants. | § |

2:08-cv-422 TJW

**PROPOSED ORDER GRANTING DEFENDANTS' MOTION FOR
PARTIAL SUMMARY JUDGMENT REGARDING OVERTIME CALCULATION**

On this day came for consideration Defendants' Motion for Partial Summary Judgment Regarding Overtime Calculation. The Court is of the opinion that the motion should be GRANTED.

It is therefore ORDERED that should this Court find in Plaintiffs' favor on the issue of liability, the fluctuating workweek method shall be utilized to calculate overtime compensation, if any.